

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DELAWARE MARKETING	)	
PARTNERS, LLC, a Delaware	)	
limited liability company,	)	
Plaintiff	)	C.A. No.: 04 - 263 Erie
	)	
v.	)	Judge McLaughlin
	)	Magistrate Judge Baxter
CREDITRON FINANCIAL SERVICES,	)	
INC., a Pennsylvania corporation, and	)	
TELATRON MARKETING GROUP,	)	
INC., a Pennsylvania corporation,	)	
Defendants	)	TRIAL BY JURY DEMANDED

**DEFENDANTS' MOTION TO REVISE**  
**CASE MANAGEMENT ORDER**

AND NOW, the Defendants, by and through their attorneys, ELDERKIN, MARTIN, KELLY & MESSINA, file the following Motion to Revise Case Management Order, respectfully representing as follows:

1. On September 20, 2004, this contract dispute was transferred by the U.S. District Court for the District of Delaware to this Honorable Court.
2. On February 11, 2005, this Court entered a case management order which directed that discovery shall conclude by August 12, 2005.

3. On May 5, 2005, Defendants filed a motion to compel discovery because the Plaintiff had failed and refused to respond to written discovery which had been served on January 24, 2005.

4. On June 15, 2005, defense counsel received the Plaintiff's overdue responses to these discovery requests.

5. Defense counsel has attempted to discuss a deposition schedule with Plaintiff's counsel, as well as the need to enlarge the current Case Management Order. However, Plaintiff's counsel failed and refused to return these telephone calls.

6. Defendants respectfully request that this Honorable Court enter an order revising the Case Management Order so as to provide an additional ninety days for pretrial discovery.

7. Due to the Plaintiff's failure and refusal to cooperate and to abide by the applicable rules of civil procedure concerning discovery, the Defendants have been unable to move this matter forward and to otherwise prepare for trial. Therefore, in the interests of justice, it is respectfully suggested that the Defendants' motion be granted.

WHEREFORE, the Defendants respectfully request that this Honorable Court issue an order revising the Case Management Order of February 11, 2005.

Respectfully submitted,

ELDERKIN, MARTIN, KELLY & MESSINA

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